

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Walter Raymond Opiola,

Civil No. 15-cv-3128 (PAM/TNL)

Plaintiff,

v.

ORDER

Kandiyohi County Sheriff's Department and
Stephanie Last Name Unknown,

Defendants.

This matter is before the Court on the Report and Recommendation of Magistrate Judge Tony N. Leung dated September 17, 2015 (Docket No. 4). No objections to the R&R have been filed in the time period permitted. Accordingly, **IT IS HEREBY ORDERED that:**

1. This action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute;
2. Plaintiff Walter Raymond Opiola's application to proceed in forma pauperis (Docket No. 2) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: October 15, 2015

s/Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge